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NOTIFICATIONS BY GOVERNMENT

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT

DRAFT FOR DE-NOTIFICATION OF HERITAGE BUILDING NAMELY DEVDI MEHDI NAWAZ JUNG BANJARA HILLS, ROAD NO. 4, HYDERABAD FROM THE LIST OF HERITAGE BUILDINGS.

[Memo. No. 16692/I1/2011, Municipal Administration & Urban Development, 21st January, 2013.]

Ref : 1. G.O.Ms.No. 102 MA, MA & UD, Dated : 23-03-1998.
2. Representation from M/s. Gavva Estates Pvt., Ltd., dated 29-06-2011 & 10-10-2012.
3. From Commissioner, GHMC., Lr. No. 124/TP/CX/CZ/2011/1333, dt : 19-04-2012.
4. From Director Bureau of Industrial Consultancy Services (BICS) JNTU, Hyderabad report dt : 05-03-2012.
5. From the High Court of Andhra Pradesh, Interim orders in W.P.M.P.No. 30200 of 2011 W.P.No.24591 of 2011, dated : 02-09-2011
6. From the High Court of Andhra Pradesh, Interim orders in W.P.No. 24591 of 2011, dated : 01-10-2012.
7. From the MC, HMDA, Hyderabad, Letter No. 006462/Plg./HCC/HMDA/2012, Dated : 02-11-2012 and 22-11-2012.

Whereas, the Government in G.O.Ms.No. 102 MA., Dated : 23-03-1998 have notified Building Devdi Mehdi Nawaz Jung, Banjara Hills, Municipal No. 8-2-413 admeasuring 3292.25 sq.mtrs. Road No. 4, Hyderabad as Heritage Building as Grade (I), Building (Sl.No.21), Code No. 3.34.

2. Whereas, M/s. Gavva Estates Pvt., Ltd., Hyderabad in their representation dated 29-06-2011 has informed that the building was constructed in the year 1930's by Medhi Nawaz Jung and is known as Banjara Bhavan, Thereafter, the building was sold to M/s. Meera Sales Private Limited and others under Registered Sale Deed Document No. 6017/82, dated 13-08-1982. Consequently the said property was registered in the name of M/s. Gavva Estates Pvt., Ltd., under Registered Sale Deed Document No. 1846/2011, dated 17-03-2011. The main building is built with lime mortal roof and due to poor maintenance water is stagnated on the roofs and there is profuse leaking and the plastering on the walls is also peeling away and the above building is not a building of regional or local importance with any

architectural ingenuity. The street on which the said building is situated in full of residential units and small commercial establishments. The premises no way contributes to the image and identification of the city and does not possess any special architectural or aesthetical merit. The building is neither a model of proportion and ornamentation nor is the work of master craftsmen and also not represent lifestyle of particular of community or region and cannot be distinguished by any special setting on the street line and has no special character facade and has no uniformity of height, width and scale With the above reasons, the said building does not deserve to be include in the list of Heritage properties and does not deserve any inteligent conservation and the building is in a dilapidated condition and is posting danger to the users and public in general as such by oversight the then owner could not submit the objection to exclude the above said premises at that time on which the Building was published in the local news paper calling for objections to the list prepared by Heritage Conservation Committee. The applicant have finally stated that, the owners of the said building have not applied for award of any development rights certificate in view of loss of development rights due to notification of the said building as Heritage structure by the Government and therefore requested the Government to delete the said building from the list of Heritage properties notified in G.O.Ms.No. 102 MA., Municipal Administration and Urban Development Department, Dated : 23-03-1998.

3. And whereas, the Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad in his letter dated 19-04-2012 has stated that the notified Heritage Structure Grade-1 at Pr.No. 8-2-413, Road No. 4, Banjara Hills, Hyderabad was found in bad condition. The Greater Hyderabad Municipal Corporation officials have inspected the site and observed that most of the structure which was constructed on the rock area has been collapsed. The Forum for a Better Hyderabad and three others have filed W.P.No. 24591 of 2011, to take steps to see that no further damage to the notified Heritage Structure. The Hon'ble High Court in its orders 5th cited given interim direction to Hyderabad Metropolitan Development Authority and Greater Hyderabad Municipal Corporation to take all necessary steps to protect the Heritage Structure and also directed to submit the report within two weeks. He has further stated that, the Greater Hyerabad Municipal Corporation vide letter dated 14-09-2011 addressed to the Director, Bureau of Industrial Consultancy Services, Jawaharlal Nehru Technological University to provide a detailed report on the structural stability of the Heritage Structure. The Director, Bureau of Industrial Consultancy Services, Jawaharlal Nehru Technological University has submitted a report vide reference 4th cited.

4. Whereas, the Director, Bureau of Industrial Consultancy Services, Jawaharlal Nehru Technological University of Hyderabad in his report dt : 05-03-2012 has made the following conclusions & Recommendations.

> "From the observations and visual inspection it is concluded that the structure (s) is in a very dilapidated conditions. It is not safe for any human dwelling. A heavy rain or minor tremor or disturbance can bring down the structure completely. The little reinforcement in some of the structural members is also complete corroded. It is recommended and advised not to enter into the building in the present state. The structure in the present stage is beyond repair. Any further modification or construction should be under taken only after obtain NOC from the Heritage Conservation Committee.

5. Whereas, the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority in has report 7th cited has reported that the matter was placed before the Heritage Conservation Committee on 06-09-2011 & 12-09-2012 wherein the HCC has not agreed for deletion of the said building from the heritage list.

6. Whereas, the Hon'ble High Court have disposed the W.P.No. 24591 of 2011 on dt : 01-10-2012 with the following order.

> *"Having heard the learned counsel for the parties and having perused the material available on record, since the above said application dt : 29-06-2011 is pending consideration before respondent No.1 i.e., Government of A.P. represented by Principal Secretary to Government MA & UD Department, we direct the said authority to consider the application dt : 29-06-2011 and pass a reasoned order in the matter in question as expeditiously as possible, in accordance with the provisions of law. Status quo as on today shall be maintained untill the matter is decided by respondent No.1, i.e. Government of A.P. respresented by Principal Secretary to Government MA & UD Department".*

7. Now therefore, Government, after careful consideration of the matter, in exercise of powers conferred by Regulation 13(3) Hyderabad Zoning Regulations 1981, under sub-section (1) of Section 59 of Andhra Pradesh Urban Areas (Development) Act, 1975 (Act-I of 1975), keeping in view of the report furnished by Director Bureau of Industrial consultancy services, Jawaharlal Nehru Technological University of Hyderabad with regard to structural safety of the building and keeping in view the public safety, as the structure (s) is in a very dilapidated condition as such the building is not safe for any human dwelling and public safety and the structure in the present stage is beyond repair, have proposed to de-notify the Heritage building namely Devdi Mehdi Nawaz Jung, Banjara Hills, Municipal No. 8-2-413 admeasuring

3992.25 Sq.mts. Road No. 4, Hyderabad as Heritage Building as Grade (I), Building (Sl.No.21), Code No. 3.34 from the list of Heritage Buildings notified in the G.O.Ms.No. 102 MA, Municipal Administration and Urban Development Department, Dated : 23-03-1998.

8. Now, therefore notice is hereby given that the above draft will be taken into consideration after expiry of fifteen days from the date of publication of the notification in the Andhra Pradesh Gazette and that any objections or suggestions which may be received from any person with respect thereto before expiry of said period will be considered by the Government of Andhra Pradesh. Objections or suggestions should be addressed to the Principal Secretary to Government, Municipal Administration and Urban Development Department, Andhra Pradesh Secretariat, Hyderabad - 500 022 or Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Tarnaka, Hyderabad-07.

9. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority is also requested to publish a notice on the proposed de-notification in the newspapers inviting any objections or suggestions which may be received from any persons, authority or institution with respect thereto before expiry of the stipulated period and furnish the copies of the objections and suggestions if any received to the Government along with remarks for taking further action the matter.

B. SAM BOB,
Principal Secretary to Government.

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